

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WANDA McCANN-SMITH,

Plaintiff,
v.

ORDER

11-cv-200-slc

ST. MARY'S HOSPITAL,

Defendant.

This is a proposed civil action for monetary relief in which plaintiff Wanda McCann-Smith alleges that defendant St. Mary's Hospital wrongfully terminated her employment and treated her differently from other employees because of her race. Plaintiff has asked for leave to proceed *in forma pauperis* and has supported her request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff's monthly income is \$1300, which makes her annual income \$15,600. Because plaintiff's income is less than \$16,000, she can proceed without any

prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about this case, she should be sure to write the case number shown above on her communication.

Entered this 18th day of March, 2011

BY THE COURT:


PETER A. OPPENEER
Magistrate Judge